

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

REC'D 02 MAY 2005

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

FOR FURTHER ACTION  
See paragraph 2 below

International application No.  
PCT/AT2004/000598

International filing date (day/month/year)  
29.10.2004

Priority date (day/month/year)  
31.10.2003

International Patent Classification (IPC) or both national classification and IPC  
B60C1/00, C08L9/00, C08K7/00, C08K3/34

Applicant  
PIRELLI PNEUMATICI S.P.A.

## 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

## 2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/AT2004/000598

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**Box No. I Basis of the opinion**

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1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide **and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IT2004/000598

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**Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	
	No: Claims	1-71
Inventive step (IS)	Yes: Claims	
	No: Claims	1-71
Industrial applicability (IA)	Yes: Claims	1-71
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

- D1: WO 02/10269 A (SOCIETE DE TECHNOLOGIE MICHELIN; MICHELIN RECHERCHE ET TECHNIQUE S.A.) 7 February 2002 (2002-02-07)
- D2: EP-A-1 074 582 (THE GOODYEAR TIRE & RUBBER COMPANY) 7 February 2001 (2001-02-07)
- D3: US 2003/191224 A1 (MARUYAMA TSUKASA ET AL) 9 October 2003 (2003-10-09)
- D4: EP-A-1 273 616 (THE GOODYEAR TIRE & RUBBER COMPANY) 8 January 2003 (2003-01-08)
- D5: EP-A-1 193 085 (THE GOODYEAR TIRE & RUBBER COMPANY) 3 April 2002 (2002-04-03)
- D6: US 2002/095008 A1 (HEINRICH GERT ET AL) 18 July 2002 (2002-07-18)
- D7: EP-A-0 265 070 (UBE INDUSTRIES, LTD) 27 April 1988 (1988-04-27)

- 1). The present application does not satisfy the requirements set forth in Article 33(2) PCT because the subject-matter of the claims is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

The subject-matter of the present claims 1 to 71 is already known from WO-A-0210269 (D1) as cited in the International Search Report (cf. loc. cit.).

- 2). The present application does not satisfy the requirements set forth in Article 33(3) PCT because the subject-matter of the claims is not based on an inventive step in respect of prior art as defined in the regulations (Rule 65(1) and 65(2) PCT).

The subject-matter of the present claims 1 to 71 is obvious for a skilled person from the combination of the teachings of EP-A-1074582 (D2) with each of the documents US2003/191224 (D3), EP-A-1273616 (D4), EP-A-1193085 (D5) or US2002/095008 (D6) (cf. loc. cit.).

The subject-matter of the present claims 42-49 is obvious for a skilled person from the combination of the teachings of D2 with the teachings of EP-A-0265070 (D7).

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B60C1/00 C08L9/00 C08K7/00 C08K3/34

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B60C C08K C08L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/10269 A (SOCIETE DE TECHNOLOGIE MICHELIN; MICHELIN RECHERCHE ET TECHNIQUE S.A.) 7 February 2002 (2002-02-07) page 9, line 5 - page 16, line 3; claims 1-38; examples 1-9 page 16, lines 14-16	1-71
Y	EP 1 074 582 A (THE GOODYEAR TIRE & RUBBER COMPANY) 7 February 2001 (2001-02-07) paragraphs '0023! - '0027!', '0043!', '0045!; claims 1,2,7-10; examples 4,6-8	1-71
Y	US 2003/191224 A1 (MARIYAMA TSUKASA ET AL.) 9 October 2003 (2003-10-09) paragraph '0021!; claims 1,2,10; examples 1-5,10-13,17; tables 1,2	1-71

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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another claim or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"Z" document member of the same patent family

Date of the actual completion of the international search

26 April 2005

Date of mailing of the international search report

04/05/2005

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 1 273 616 A (THE GOODYEAR TIRE & RUBBER COMPANY) 8 January 2003 (2003-01-08) paragraphs '0014! - '0017!; claims 1-10; example 1	1-71
Y	EP 1 193 085 A (THE GOODYEAR TIRE & RUBBER COMPANY) 3 April 2002 (2002-04-03) paragraph '0018!; claims 1-4; example 1; table 1	1-71
Y	US 2002/095008 A1 (HEINRICH GERT ET AL) 18 July 2002 (2002-07-18) paragraphs '0017! - '0024!; claims 1-4, 17, 29; example 1; table 1	1-71
Y	EP 0 265 070 A (UBE INDUSTRIES, LTD) 27 April 1988 (1988-04-27) page 12, lines 41-49; claims 1, 7-10; examples 1-6 page 13, line 40 - page 14, line 17 page 16, lines 29-45	42-49

## INTERNATIONAL SEARCH REPORT

Information on patent family members

Inventor's Application No.  
IT2004/000598

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0210269	A	07-02-2002	AU 1043002 A BR 0112886 A CA 2417681 A1 CN 1452647 A WO 0210269 A2 EP 1311600 A2 JP 2004505149 T MX PA03000659 A US 2003212185 A1	13-02-2002 01-07-2003 07-02-2002 29-10-2003 07-02-2002 21-05-2003 19-02-2004 10-09-2003 13-11-2003
EP 1074582	A	07-02-2001	US 6269858 B1 BR 0003349 A CA 2311634 A1 EP 1074582 A1 JP 2001089599 A US 2001025068 A1	07-08-2001 13-03-2001 06-02-2001 07-02-2001 03-04-2001 27-09-2001
US 2003191224	A1	09-10-2003	JP 2004204204 A DE 10313559 A1	22-07-2004 09-10-2003
EP 1273616	A	08-01-2003	US 2003032710 A1 AU 5069302 A BR 0202393 A CN 1394905 A EP 1273616 A1 JP 2003096239 A	13-02-2003 09-01-2003 29-04-2003 05-02-2003 08-01-2003 03-04-2003
EP 1193085	A	03-04-2002	US 6598645 B1 BR 0104162 A EP 1193085 A2 JP 2002160504 A	29-07-2003 07-05-2002 03-04-2002 04-06-2002
US 2002095008	A1	18-07-2002	DE 10059236 A1 DE 50105112 D1 EP 1211283 A1 JP 2002179842 A	20-06-2002 24-02-2005 05-06-2002 26-06-2002
EP 0265070	A	27-04-1988	JP 1877633 C JP 5088860 B JP 63179945 A JP 63179946 A JP 1743529 C JP 4033300 B JP 63081137 A JP 2021707 C JP 7049495 B JP 63095243 A JP 1925575 C JP 6055854 B JP 63128037 A JP 1942375 C JP 6076070 B JP 63130482 A DE 3773608 D1 EP 0265070 A1 US 5006603 A US 5049610 A	07-10-1994 24-12-1993 23-07-1988 23-07-1988 15-03-1993 02-06-1992 12-04-1988 26-02-1996 31-05-1995 26-04-1988 25-04-1995 27-07-1994 31-05-1988 23-06-1995 28-09-1994 02-06-1988 14-11-1991 27-04-1988 09-04-1991 17-09-1991

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